

IN THE CLAIMS

Claims 1 – 11 (cancelled)

Claim 12 (cancelled)

Claim 13 (currently amended): ~~The structured particulate system of claim 12 wherein~~ A structured particulate system comprising at least one active, organic solid food additive incorporated in a matrix which forms a network completely incorporating said active, organic solid food additive in a weight ratio of 1:99 of said solid additive to 99:1 of said matrix, the mean weight diameter of the particles of said structured system ranging from 25 to 1500 microns and the system displaying a loose bulk density of 0.1 to 1.1 Kg/l, the active, organic solid additive is being selected from the group consisting of oleanoic acid, ursolic acid, folic acid, policosanol and phytosterols.

Claim 14 (cancelled)

Claim 15 (currently amended): The structured particulate system of claim 14 13 wherein the system displays a loose bulk density of 0.3 to 0.6 Kg/l.

Claim 16 (currently amended): The structured particulate system of claim ~~12 or~~ 13 wherein the mean weight diameter ranges from 50 to 400 microns.

Claim 17 (previously presented): The structured particulate system of claim 16 wherein the mean weight diameter ranges from 60 to 300 microns.

Claim 18 (currently amended): The structured particulate system of claim ~~12 or~~ 13 wherein the weight ratio between active additive and matrix ranges from 80:20 to 20:80.

Claim 19 (currently amended): The structured particulate system of claim ~~12~~ or 13 wherein the weight ratio between active additive and matrix ranges from 60:40 to 40:60.

Claim 20 (currently amended): The structured particulate system of claim ~~12~~ or 13 wherein the active, organic solid additive has a discrete particle size within the total structured particulate system of 2 to 275 microns.

Claim 21 (currently amended): The structured particulate system of claim ~~12~~ or 13 wherein the active, organic solid additive has a discrete particle size within the total structured particulate system of 5 to 250 microns.

Claim 22 (currently amended): The structured particulate system of claim ~~12~~ or 13 wherein the active, organic solid additive has a discrete particle size within the total structured particulate system of 7 to 200 microns.

Claim 23 (cancelled)

Claim 24 (currently amended): The structured particulate system of claim ~~12~~ 13 wherein the additive ~~is a component that~~ improves the oral properties of a food product, or the system improves the dispersability of the additive in a food.

Claim 25 (currently amended): The structured particulate system of claim ~~12~~ or 13 wherein the matrix is edible and is selected from the group consisting of polysaccharides, modified polysaccharides, sugars, gums, thickeners, stabilisers, syrups, flours, starches, dextrose, maltodextrins and celluloses.

Claim 26 (currently amended): Method for improving at least one property selected from the oral properties of a food product and the homogeneity of an organic solid active component in a food product, which comprises incorporating in the food product an effective amount of the a structured particulate system of claim ~~12~~ or 13 comprising at least one active, organic solid food additive incorporated in a matrix which

forms a network completely incorporating said active, organic solid food additive in a weight ratio of 1:99 of said solid additive to 99:1 of said matrix, the mean weight diameter of the particles of said structured system ranging from 25 to 1500 microns and the system displaying a loose bulk density of 0.1 to 1.1 Kg/l.

Claim 27 (currently amended): Method for improving at least one property selected from the oral properties of a food product and the homogeneity of an organic solid active component in a food product, which comprises incorporating in the food product from 0.01 to 50 wt %, based on the food product of ~~the~~ a structured particulate system of claim 12 or 13 comprising at least one active, organic solid food additive incorporated in a matrix which forms a network completely incorporating said active, organic solid food additive in a weight ratio of 1:99 of said solid additive to 99:1 of said matrix, the mean weight diameter of the particles of said structured system ranging from 25 to 1500 microns and the system displaying a loose bulk density of 0.1 to 1.1 Kg/l.

Claim 28 (currently amended): Method for improving at least one property selected from the oral properties of a food product and the homogeneity of an organic solid active component in a food product, which comprises incorporating in the food product from 1 to 30 wt %, based on the food product of the structured particulate system of claim ~~12 or~~ 13.

Claim 29 (currently amended): A food product selected from the group consisting of margarine, spreads, baked goods, extruded goods, confections, ice-creams and dairy products containing an effective amount of ~~the~~ a structured particulate system of claim 12 or 13 comprising at least one active, organic solid food additive incorporated in a matrix which forms a network completely incorporating said active, organic solid food additive in a weight ratio of 1:99 of said solid additive to 99:1 of said matrix, the mean weight diameter of the particles of said structured system ranging from 25 to 1500 microns and the system displaying a loose bulk density of 0.1 to 1.1 Kg/l.

Claim 30 (currently amended): Process for preparing a structured particulate system ~~as defined in claim 12 or 13~~ comprising at least one active, organic solid food additive incorporated in a matrix which forms a network completely incorporating said active, organic solid food additive in a weight ratio of 1:99 of said solid additive to 99:1 of said matrix, the mean weight diameter of the particles of said structured system ranging from 25 to 1500 microns and the system displaying a loose bulk density of 0.1 to 1.1 Kg/l which comprises:

- (i) mixing a solid organic active food additive with a matrix into a homogeneous powder;
- (ii) adding a solvent to part of the powder obtained to dissolve the matrix resulting in a suspension of the active additive in solvent;
- (iii) suspending part of the powder resulting from step (i) in an expansion chamber of a fluid bed; and
- (iv) spraying the suspension resulting from (ii) onto the suspended powder of step (iii) in the expansion chamber and drying rapidly by a heating medium.

Claim 31 (previously presented): The process of claim 30 wherein the solvent added to step (ii) is water and the heating medium of step (iv) is heated air.

REMARKS

Entry of this amendment and allowance are requested.

Reconsideration of the provisional rejection of claims 12, 15-22 and 24-29 on the basis of the commonly assigned Serial No. 09/816,863 is requested in view of the attached Terminal Disclaimer.

The allowance of claims 13, 30 and 31 if amended to be independent of rejected claims and including limitations of all intervening claims has been noted. The claims have been suitably amended, taking into account the Examiner's comments and, as amended, the application is thought to be in condition for allowance.

More specifically, claims 13 and 30 have been made independent by adding thereto the substance of claim 12 from which claims 13 and 30 depended.

Claim 31 has been left unamended as this claim depends directly from claim 30.

Claims 15, 16, 18-22, 24, 25 and 28 have been made dependent on claim 13. No change has been made in claim 17 as this depends from claim 16 and consequently from claim 13 as claim 16 has been amended. All of these dependent claims should be allowable in view of their dependence from allowable claim 13.

Claims 26, 27 and 29 were only rejected for double-patenting and these claims have been amended to be in independent form by adding the substance of claim 12 thereto.

Claim 12 has been cancelled without prejudice.

Reconsideration of the Section 102(b) rejection of claims 12, 18-22 and 24 based on Grimm and the Section 102(b) rejection of claims 12, 15, 18, 19, 24 and 25 based on Blake is requested in view of the foregoing claim changes.

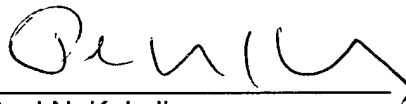
The Examiner is requested to acknowledge applicants' disclosure submission of August 27, 2003 and confirm consideration thereof in the examination of this application.

CAIN ET AL
Serial No. 09/500,475

Allowance is thought to be in order and is requested.

Respectfully submitted,

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